

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>v.</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>JOSHUA NEWKIRK</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>21 U.S.C. § 841(a), (b)(1)(B) (possession</b>
	<b>:</b>	<b>with intent to distribute five grams or</b>
	<b>:</b>	<b>more of cocaine base (“crack”) - 1count)</b>
	<b>:</b>	<b>21 U.S.C. § 860(a) (possession with intent</b>
	<b>:</b>	<b>to distribute five grams or more of</b>
	<b>:</b>	<b>cocaine base (“crack”) within 1000 feet of</b>
	<b>:</b>	<b>a playground - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 924(c) (possession of a firearm</b>
	<b>:</b>	<b>during and in relation to a drug</b>
	<b>:</b>	<b>trafficking crime - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 922(g)(1), 924(e) (convicted</b>
	<b>:</b>	<b>felon in possession of a firearm - 1 count)</b>
		<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about September 30, 2007, in Bristol, in the Eastern District of  
Pennsylvania, defendant

**JOSHUA NEWKIRK**

knowingly and intentionally possessed with intent to distribute five grams or more, that is,  
approximately 15.0 grams, of a mixture and substance containing a detectable amount of cocaine  
base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 30, 2007, in Bristol, in the Eastern District of Pennsylvania, defendant

**JOSHUA NEWKIRK**

knowingly and intentionally possessed with intent to distribute five grams or more, that is, approximately 15.0 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Bucks County Housing Authority, Venice Ashby Housing Project located at 5401 Beaver Dam Road in Bristol, Pennsylvania, 19007, and within 1,000 feet of the real property comprising the Green Lawn Park playground, located on Marie Lowe Drive between Schumacher Drive and Schumacher Drive in Bristol, Pennsylvania, 19007, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 21, United States Code, Section 860(a).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 30, 2007, in Bristol, in the Eastern District of  
Pennsylvania, defendant

**JOSHUA NEWKIRK**

knowingly possessed a firearm, that is, a Colt Detective Special, .38 caliber revolver, serial  
number 574627, loaded with six rounds of .38 caliber ammunition, in furtherance of a drug  
trafficking crime for which he may be prosecuted in a court of the United States, that is,  
possession with intent to distribute cocaine base (“crack”), in violation of Title 21, United States  
Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 18, United States Code, Section 924(c)(1).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 30, 2007, in the Eastern District of Pennsylvania,  
defendant

**JOSHUA NEWKIRK,**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Colt Detective Special, .38 caliber revolver, serial number 574627, loaded with six rounds of .38 caliber ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1), as set forth in this indictment, defendant

**JOSHUA NEWKIRK**

shall forfeit to the United States of America the firearm and ammunition involved in the commission of these offenses, including, but not limited to:

One Colt Detective Special, .38 caliber revolver, serial number 574627, loaded with six rounds of .38 caliber ammunition.

Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

---

**GRAND JURY FOREPERSON**

---

**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**